

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(REV. 12-2004)

ATTORNEY'S DOCKET NUMBER

PN0275

## TRANSMITTAL LETTER TO THE UNITED STATES

DESIGNATED/ELECTED OFFICE (DO/EO/US)

CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

To Be Assigned

10/530094

INTERNATIONAL APPLICATION NO.

NO2003/000328

INTERNATIONAL FILING DATE

October 1, 2003

PRIORITY DATE CLAIMED

October 3, 2002

## TITLE OF INVENTION

Method, Compounds and Preparations for the Identification of Sentinel Lymph Nodes

## APPLICANT(S) FOR DO/EO/US

Audun Tornes, Jonny Ostensen, Henrik Rasmussen and Lars Hoff

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

## Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV 344295987 US
23. ☒ Other items or information:

copy of the PCT request  
return receipt post card  
express mail certificate

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |              |  |            |   |                   |
|---|--------------|--|------------|---|-------------------|
| U.S. APPLICATION NO (if known, see 37 CFR 1.5)<br><b>10/530094</b>  |              | INTERNATIONAL APPLICATION NO.<br><b>NO2003/000328</b>                  |            | ATTORNEY'S DOCKET NUMBER<br><b>PN0275</b> |                   |
| 24. The following fees are submitted:   |              |  |            | Applicant use                             | Office use        |
| <input checked="" type="checkbox"/> a) Basic national fee .....   |              | \$300.00   |            | \$  | \$300.00          |
| <input checked="" type="checkbox"/> b) Examination fee .....  |              | \$200.00   |            | \$  | \$200.00          |
| <input checked="" type="checkbox"/> c) Search fee .....   |              | \$500.00   |            | \$  | \$500.00          |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |              | <b>\$1000.00</b>   |            | \$  | <b>\$1,000.00</b> |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.  |              |  |            |   |                   |
| Total Sheets  | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole) | RATE       |   |                   |
| - 100 =   | /50 =        |  | x \$250.00 | \$  | \$0.00            |
| Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).   |              |  |            | \$  |                   |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA   | RATE       |   |                   |
| Total claims  | 14 - 20 =    | 0  | x \$50.00  | \$  | \$0.00            |
| Independent claims  | 2 - 3 =      | 0  | x \$200.00 | \$  | \$0.00            |
| MULTIPLE DEPENDENT CLAIMS (if applicable)   |              | <input type="checkbox"/> +   | \$360.00   | \$  | \$0.00            |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |              |  |            | \$  | <b>\$1,000.00</b> |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.  |              |  |            | \$  | \$0.00            |
| <b>SUBTOTAL =</b>   |              |  |            | \$  | <b>\$1,000.00</b> |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).   |              |  |            | \$  | \$0.00            |
| <b>TOTAL NATIONAL FEE =</b>   |              |  |            | \$  | <b>\$1,000.00</b> |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +   |              |  |            | \$  | \$0.00            |
| <b>TOTAL FEES ENCLOSED =</b>  |              |  |            | \$  | <b>\$1,000.00</b> |
| Amount to be refunded:  |              |  |            |   | \$                |
| Amount to be charged:   |              |  |            |   | \$                |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.<br>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>502-665</u> in the amount of <u>\$1,000.00</u> to cover the above fees. A duplicate copy of this sheet is<br>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>502-665</u> . A duplicate copy of this sheet is enclosed.<br>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. |              |  |            |   |                   |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.  |              |  |            |   |                   |
| SEND ALL CORRESPONDENCE TO:<br>Amersham Health, Inc.<br>IP Department<br>101 Carnegie Center<br>Princeton, NJ 08540   |              |  |            |   |                   |
|   |              |  |            | SIGNATURE<br><b>Robert F. Chisholm</b>    |                   |
|   |              |  |            | NAME<br><b>39,939</b>                     |                   |
|   |              |  |            | REGISTRATION NUMBER                       |                   |

|   |  |                                       |
|---|--|---------------------------------------|
| <b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b><br>Applicant(s): Audun Ternes, et.al. |  | Docket No. <b>10/530094</b><br>PN0275 |
|---|--|---------------------------------------|

|                                   |                         |                            |                       |                                  |
|-----------------------------------|-------------------------|----------------------------|-----------------------|----------------------------------|
| Application No.<br>To Be Assigned | Filing Date<br>Herewith | Examiner<br>To Be Assigned | Customer No.<br>36335 | Group Art Unit<br>To Be Assigned |
|-----------------------------------|-------------------------|----------------------------|-----------------------|----------------------------------|

Invention: **Method, Ciompounds and Preparations for the Identification of Sentinel Lymph Nodes**

I hereby certify that the following correspondence:

**Request for filing a 35 U.S.C. 371 application based on PCT/NO2003/000328, copy of which is enclosed, along with a copy of the search report, with non-U.S. references, IDS, copy of PCT request, unsigned declaration, preliminary amendment, transmittal letter with copy for authorization to charge deposit account and return receipt post card**

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

**April 1, 2005**

*(Date)*

**Lori B. Allaire**

*(Typed or Printed Name of Person Mailing Correspondence)*

*Lori B. Allaire*  
*(Signature of Person Mailing Correspondence)*

**EV 344295987 US**

*("Express Mail" Mailing Label Number)*

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